

SE

**MISSION** 

# **ANNUAL AUDITED REPORT FORM X-17A-5** PART III

Wasnington, D.C. 2001.

**OMB APPROVAL** 

3235-0123 **OMB Number:** 

February 28, 2010 Expires: Estimated average burden

hours per response..... 12.00

SEC FILE NUMBER

**8**-36259

#### **FACING PAGE**

Information Required of Brokers and Dealers Pursuant to Section 17 of the Securities Exchange Act of 1934 and Rule 17a-5 Thereunder

REPORT FOR THE PERIOD BEGINNING_(			IDING 12/31/200	
	MN	M/DD/YY	MM	/DD/YY
A. REG	ISTRANT	IDENTIFICATION		
NAME OF BROKER-DEALER: D.J. Mos	ier & Asso	ociates, Inc.	OFF	ICIAL USE ONLY
ADDRESS OF PRINCIPAL PLACE OF BUSI	NESS: (Do r	ot use P.O. Box No.)		FIRM I.D. NO.
60 W. Randolph St., Suite	200			
	(No.	and Street)		· · · · · · · · · · · · · · · · · · ·
Chicago (City)		(State)	60601 (Zip Code)	
NAME AND TELEPHONE NUMBER OF PE	RSON TO CO	NTACT IN REGARD TO		
Delores J. Mosier				52–1161 e – Telephone Number
R ACC	OUNTANT	IDENTIFICATION	· · · · · · · · · · · · · · · · · · ·	
INDEPENDENT PUBLIC ACCOUNTANT w  Horwich Coleman Levin, LLC		is contained in this Repor		
	(Name – ij inaivi	auai, state tasi, jirsi, miaate na		
125 South Wacker Drive, Su (Address)  CHECK ONE:	ite 1500 (City)	Chicago	Illinois (StateSEC Mail P Sect	60606 (Zip Code) rocessing
Certified Public Accountant	1. 4		FEB 27	2009
☐ Public Accountant			Washingto	on. DC
☐ Accountant not resident in Unit	ed States or a	ny of its possessions.	111	
	FOR OFFIC	IAL USE ONLY		
	FOR OFFIC	ial use unly		

\*Claims for exemption from the requirement that the annual report be covered by the opinion of an independent public accountant must be supported by a statement of facts and circumstances relied on as the basis for the exemption. See Section 240.17a-5(e)(2)



## OATH OR AFFIRMATION

I,	Delores J. Mosier	, swear (or affirm) that, to the best of
my		tement and supporting schedules pertaining to the firm of
•	D.J. Mosier & Associates, Inc.	, as
of	December 31	20 08, are true and correct. I further swear (or affirm) that
neit		al officer or director has any proprietary interest in any account
	assified solely as that of a customer, except as follows:	
		Signature  Chairman  Title
4	med Jughtmohi.	
,	Notary Public	27
Thi	Tmelda A. Wojtkowski #5908 nis report ** contains (check all applicable boxes):	.,,
K	(a) Facing Page.	
lacksquare		
N		
X X	_ ` ` `	Partners' or Sole Proprietors' Capital
		I to Claims of Creditors.
N		
lacksquare	(h) Computation for Determination of Reserve Requ	irements Pursuant to Rule 15c3-3.
K	(i) Information Relating to the Possession or Contr	ol Requirements Under Rule 15c3-3.
K	(j) A Reconciliation, including appropriate explanat	ion of the Computation of Net Capital Under Rule 15c3-1 and the
	Computation for Determination of the Reserve I	equirements Under Exhibit A of Rule 1503-3.
	(k) A Reconciliation between the audited and unaud consolidation.	ited Statements of Financial Condition with respect to methods of
	(n) A copy of the SIPC Supplemental Report.	
	(n) A report describing any material inadequacies for	nd to exist or found to have existed since the date of the previous audit.

<sup>\*\*</sup>For conditions of confidential treatment of certain portions of this filing, see section 240.17a-5(e)(3).

# HORWICH COLEMAN LEVIN, LLC



CERTIFIED PUBLIC ACCOUNTANTS

125 SOUTH WACKER DRIVE - SUITE 1500 CHICAGO, ILLINOIS 60606-4477 (312) 341-0100 FAX: (312) 341-0155 www.horwich.com

## INDEPENDENT AUDITORS' REPORT

To the Board of Directors of D.J. MOSIER & ASSOCIATES, INC. Chicago, Illinois 60611

We have audited the accompanying statements of financial condition of D.J. Mosier & Associates, Inc. as of December 31, 2008 and 2007 and the related statements of operations, changes in stockholder's equity and cash flows and supplemental information for the years then ended that you are filing pursuant to rule 17a-5 under the Securities Exchange Act of 1934. These financial statements are the responsibility of the Company's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with generally accepted auditing standards in the United States of America. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above presents fairly, in all material respects, the financial position of D.J. Mosier & Associates, Inc. as of December 31, 2008 and 2007, and the results of its operations, changes in its stockholder's equity and its cash flows for the years then ended in conformity with generally accepted accounting principles in the United States of America.

Our audits were made for the purpose of forming an opinion on the basic financial statements taken as a whole. The supplemental information is presented for purposes of additional analysis and is not a required part of the basic financial statements, but is supplementary information required by rule 17a-5 under the Securities Exchange Act of 1934. Such information has been subjected to the auditing procedures applied in the audits of the basic financial statements and, in our opinion, is fairly stated in all material respects in relation to the basic financial statements taken as a whole.

Seman Cerin, UC

Certified Public Accountants

Chicago, Illinois

Howich

February 19, 2009

# D.J. MOSIER & ASSOCIATES, INC. STATEMENTS OF FINANCIAL CONDITION December 31, 2008 and 2007

	2008		2007
ASSETS			
Cash and cash equivalents	\$ 36,142	\$	35,250
Receivables from clients and correspondents	-		61,770
Receivables from employees	7,046		7,046
Prepaid expenses	1 420		7,794 2,498
Other assets	 1,430		2,490
TOTAL ASSETS	\$ 44,618	\$	114,358
LIABILITIES AND STOCKHOLDER'S EQUITY			
LIABILITIES			
Accounts payable	\$ 1,965	\$	_
Accrued expenses	 		349
Total liabilities	 1,965	· •	349
STOCKHOLDER'S EQUITY			
Common stock, no par value: 10,000 shares issued and outstanding	1,000		1,000
Paid in capital in excess of par	291,247		264,747
Accumulated deficit	 (249,594)		(151,738)
Stockholder's equity	42,653		114,009
TOTAL LIABILITIES AND STOCKHOLDER'S EQUITY	\$ 44,618	\$	114,358

# D.J. MOSIER & ASSOCIATES, INC. STATEMENTS OF OPERATIONS For the Years Ended December 31, 2008 and 2007

	2008		2007	
REVENUES				
Commissions	\$	258,922	\$	284,058
Consulting fees		123,731		119,587
TOTAL REVENUES		382,653		403,645
EXPENSES				
Salaries and employee benefits		337,334		230,181
Taxes, licenses and fees		19,220		8,419
Travel		9,645		283
Professional fees		14,567		6,980
Consulting fees		25,072		19,079
Rent		28,647		25,629
Other operating expenses		26,160		24,289
TOTAL EXPENSES		460,645	<del></del>	314,860
(LOSS) / INCOME FROM OPERATIONS		(77,992)		88,785
OTHER INCOME				
Interest income		136		277
TOTAL OTHER INCOME		136	<del></del>	277
NET (LOSS) / INCOME	\$	(77,856)	\$	89,062

# D.J. MOSIER & ASSOCIATES, INC. STATEMENTS OF CHANGES IN STOCKHOLDER'S EQUITY For the Years Ended December 31, 2008 and 2007

	(	Common Stock	aid in Capital excess of par	A	ccumulated Deficit	Total
Balance January 1, 2007	\$	1,000	\$ 264,747	\$	(200,800) \$	64,947
Net income for 2007		-	-		89,062	89,062
Dividend		_	 _		(40,000)	(40,000)
Balance December 31, 2007	\$	1,000	\$ 264,747	\$	(151,738) \$	114,009
Stockholder purchase		-	26,499		-	26,499
Net (loss) for 2008		-	<u>-</u>		(77,855)	(77,855)
Dividend		-	 _		(20,000)	(20,000)
Balance December 31, 2008	\$	1,000	\$ 291,246	\$	(249,593) \$	42,653

# D.J. MOSIER & ASSOCIATES, INC. STATEMENTS OF CASH FLOWS For the Years Ended December 31, 2008 and 2007

		2008	2007
OPERATING ACTIVITIES			
Net (loss) / income	\$	(77,855)	\$ 89,062
Adjustment to reconcile net loss to net cash (used in) provided by		••	_
operating activities			
Changes in operating assets and liabilities			
Receivables from clients and correspondents		61,770	18,171
Other assets		1,068	<del>-</del>
Prepaid expenses		7,794	(7,794)
Accounts payable and accrued expenses		1,616	 (24,702)
NET CASH (USED IN) PROVIDED BY OPERATING ACTIVITIES	·	(5,607)	74,737
FINANCING ACTIVITIES			
Proceeds from stock purchase		26,499	-
Dividends paid		(20,000)	 (40,000)
NET CASH PROVIDED BY (USED IN) FINANCING ACTIVITIES		6,499	 (40,000)
NET INCREASE IN CASH		892	34,737
CASH AND CASH EQUIVALENTS BEGINNING OF YEAR		35,250	513
CASH AND CASH EQUIVALENTS END OF YEAR	\$	36,142	\$ 35,250
SUPPLEMENTAL CASH FLOW INFORMATION			
Cash paid for interest	\$		\$ 
Cash paid for taxes	\$	-	\$ 

## D.J. MOSIER & ASSOCIATES, INC. NOTES TO FINANCIAL STATEMENTS DECEMBER 31, 2008 AND 2007

#### 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

D.J. Mosier and Associates, Inc, (the Company) is a securities dealer that specializes in the sale of mutual funds and separate accounts. With over 12,000 mutual funds available, the Company is an experienced specialist and provides investment opportunities from a carefully selected group of fund families. The customer base for the Company consists of pension funds for municipal employees, firefighters, and police departments. The majority of the Company's customers are located in the Midwest. The Company is a member of the National Association of Securities Dealers, Inc. (NASD).

## Financial statement presentation

The financial statements have been prepared in accordance with accounting principles generally accepted in the United States of America ("U.S. GAAP").

## Revenue recognition

Commissions represent the spread between buy and sell transactions processed and net fees charged to customers on a transaction basis for buy and sell transactions processed. Commissions are recorded on a settlement date basis, which does not differ materially from trade date basis.

#### **Commissions Receivable**

Commission's receivable primarily represents commission income earned on security transactions. Management of the Company believes all amounts included in commissions receivable are collectable in full and, accordingly, no allowance for doubtful accounts is deemed necessary.

#### Cash and Cash Equivalents

The Company considers all highly liquid investments, with a maturity of less than a year when purchased, to be cash equivalents.

#### **Use of Estimates**

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

## D.J. MOSIER & ASSOCIATES, INC. NOTES TO FINANCIAL STATEMENTS DECEMBER 31, 2008 AND 2007

## 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

#### Fair Value

The Company values its cash and cash equivalents at fair value, based on the Level 1 hierarchy established by SFAS 157, which the Company adopted effective January 1, 2008 except for nonfinancial assets and nonfinancial liabilities recognized or disclosed on a nonrecurring basis. FASB Staff Position 157-2, issued in February 2008, permits delayed application for such items until January 1, 2009. The Company is currently assessing the potential effect of the adoption of the remaining provisions of SFAS 157."

#### 2. RELATED PARTY TRANSACTIONS

The Company leases its office facility in La Porte, Indiana from a related party under a non-cancelable operating lease that expires on October 31, 2010. The future rental payments under the lease for the next two are as follows:

2009 \$29,104 2010 \$24,859

#### 3. CONCENTRATIONS

The Company's largest client accounted for 70% and 18% of commission revenues for the years ending December 31, 2008 and 2007 respectively.

## 4. NET CAPITAL REQUIREMENTS

Pursuant to Rule 15c3-1 of the Securities and Exchange Commission, the Company is required to maintain net capital as defined under the rule. The Company is required to maintain "net capital" equal to the greater of \$5,000 or 6 2/3% of the "aggregate indebtedness," as these terms are defined. Net capital changes from day to day, but at December 31, 2008 and 2007, the Company has net capital of \$34,177 and \$13,920, respectively and had no customer accounts.

## 5. RECENT ACCOUNTING PRONOUNCEMENTS

In June 2006, the FASB issued Interpretation No. 48 ("FIN 48"), "Accounting for Uncertainty in Income Taxes." FIN 48 provides detailed guidance for the financial statement recognition, measurement and disclosure of uncertain tax positions recognized in an enterprise's financial statements in accordance with SFAS No. 109, "Accounting for Income Taxes." FIN 48 requires an entity to recognize the financial statement impact of a tax position when it is more likely than not that the position will be sustained upon examination. On December 30, 2008, the FASB issued FASB Staff Position FIN 48-3 which deferred the effective implementation date of FIN 48 to the Company's annual financial statements ending on December 31, 2009 and the Company has elected to defer application of FIN 48. The Company does not expect that the adoption of FIN 48 will have a material effect on its financial position, results of operations or cash flows.

		SUPPLEME	ENTAL	INFORMAT	ΓΙΟΝ			
	•	y <del>a sa</del> sa		# · · · · · · · · · · · · · · · · · · ·				
• .								

# D.J. MOSIER & ASSOCIATES, INC DECEMBER 31, 2008

## COMPUTATION OF NET CAPITAL

1.	Total ownership equity from Statement of Financial Condition	\$ 42,653
2.	Deduct ownership equity not allowable for Net Capital	0
3.	Total ownership equity qualified for Net Capital	42,653
4.	Add:	
	A. Liabilities subordinated to claims of general creditors allowable in Computation of net capital	0
	B. Other (deductions) or allowable credits (List)	
		0
5.	Total capital and allowable subordinated liabilities	42,653
6.	Deductions and/or charges:	
	A. Total non allowable assets from Statement of Financial Condition (Notes B and C) 8,476	
	B. Secured demand note deficiency0	
	C. Commodity futures contracts and spot  Commodities – proprietary capital changes0	
	D. Other deductions and/or charges0	· •
7.	Other additions and/or credits (List)	
		(8,476)
8.	Net capital before haircuts on securities positions	34,177
	The accompanying notes are an integral part of these statement	s.

# D.J. MOSIER & ASSOCIATES, INC DECEMBER 31, 2008

9.	Hai	rcuts on securities (computed, where applicable, pur	rsuant to 15c3-1(f):	
	A.	Contractual securities commitments	0	
	B.	Subordinates securities borrowings	0	
	C.	Trading and investment securities:	0	
		1. Exempted securities	0	
		2. Debt securities	0	
		3. Options	0	
		4. Other securities	0	
	D.	Undue Concentration	0	
	E.	Other (List)		
				0
10.	Ne	t Capital		\$ 34,177
CON	1PU	TATION OF BASIC NET CAPITAL REQUIREMI	ENT	
Part				
11.	Mi	nimum net capital required (6 2/3% of line 19)		\$ 2,278
12.	Mi	nimum dollar net capital requirement of reporting by and minimum net capital requirement of subsidiarie accordance with Note (A)	roker or dealer s computed in	5,000
13.	Ne	et capital requirement (greater of line 11 or 12)		5,000
14.		cess net capital (line 10 less 13)		29,177
15.	Ex	cess net capital at 1000% (line 10 less 10% of line 1	9)	\$ 33,980

The accompanying notes are an integral part of these statements.

# D.J. MOSIER & ASSOCIATES, INC DECEMBER 31, 2008

16. 17. 18. 17.	Total A.I. liabilities from Statement of Financial Conc Less: Securities borrowed for which equivalent value Less; Liabilities subordinated to claims of creditors Add:		\$ 1,965 0 0
	A. Drafts for immediate credit		
	B. Market value of securities borrowed for which no equivalent value is paid or credited		
	C. Other unrecorded amounts (List)		
	<u> </u>	-	
19.	Total aggregate indebtness		<u>\$ 1,965</u>
20.	Percentage of aggregate indebtness to net capital (line 19/line 10)		% <u></u>
OTH	IER RATIOS		
21.	Percentage of debt to debt-equity total computed in accordance with Rule 15c3-1(d)		%0

The accompanying notes are an integral part of these statements.

# D.J. MOSIER & ASSOCIATES, INC. RECONCILIATION INCLUDING APPROPRIATE EXPLANATIONS, OF THE AUDITED COMPUTATION OF NET CAPITAL WITH THE COMPANY'S CORRESPONDING UNAUDITED PART II A FOCUS REPORT FILING DECEMBER 31, 2008

The differences between the audited computation of net capital and the unaudited Part II A Focus Filing at December 31, 2008 were as follows.

NET CAPITAL REPORTED ON UNAUDITED FOCUS FILING	36,143
AUDIT ADJUSTEMENTS	(1,966)
NET CAPITAL PER AUDIT	<u>\$ 34,177</u>

D.J. MOSIER & ASSOCIATES, INC. Computation for Determination of Reserve Requirements For Broker/Dealers under Rule 15c3-3 and Information For Possession or Control Requirements under Rule 15c3-3 **December 31, 2008** 

The Company does not carry customer accounts as defined by the Securities Exchange Act of 1934 under Section (a)(1) of Rule 15c3-3. Therefore, the Company is exempt from the provisions of that rule.

# HORWICH COLEMAN LEVIN, LLC



CERTIFIED PUBLIC ACCOUNTANTS

125 SOUTH WACKER DRIVE - SUITE 1500 CHICAGO, ILLINOIS 60606-4477 (312) 341-0100 FAX: (312) 341-0155 www.horwich.com

### INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL

To the Board of Directors D.J. MOSIER & ASSOCIATES, INC.

In planning and performing our audit of the financial statements of D.J. Mosier & Associates, Inc., (the Company), as of and for the year ended December 31, 2008, in accordance with auditing standards generally accepted in the United States of America, we considered the Company's internal control over financial reporting (internal control) as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion of the effectiveness of the Company's internal control. Accordingly, we do not express an opinion on the effectiveness of the Company's internal control.

Also, as required by rule 17a-5(g)(1) of the Securities and Exchange Commission (SEC), we have made a study of the practices and procedures followed by the Company including consideration of control activities for safeguarding securities. This study included tests of such practices and procedures that we considered relevant to the objectives stated in rule 17a-5(g) in making the periodic computations of aggregate indebtedness )or aggregate debits) and net capital under rule 17a-3(a)(11) and for determining compliance with the exemptive provisions of rule 15c3-3. Because the Company does not carry securities accounts for customers or perform custodial functions relating to customer securities, we did not review the practices and procedures followed by the Company in any of the following:

- 1. Making quarterly securities examinations, counts, verifications, and comparisons and recordation of differences required by Rule 17a-13
- 2. Complying with the requirements for prompt payment for securities under Section 8 of Federal Reserve Regulation T of the Board of Governors of the Federal Reserve System.

The management of the Company is responsible for establishing and maintaining internal control and the practices and procedures referred to in the preceding paragraph. In fulfilling this responsibility, estimates and judgments by management are required to assess the expected benefits and related costs of controls and of the practices and procedures referred to in the preceding paragraph and to assess whether those practices and procedures can be expected to achieve the SEC's above mentioned objectives. Two of the objectives of internal control and the practices and procedures are to provide management with reasonable but not absolute assurance that assets for which the Company has responsibility are safeguarded against loss from unauthorized use or disposition and that transactions are executed in accordance with management's authorization and recorded properly to permit the preparation of financial statements in conformity with generally accepted accounting principles. Rule 17a-5(g) lists additional objectives of the practices and procedures listed in the preceding paragraph.

Because of inherent limitations in internal control or the practices and procedures referred to above, error or fraud may occur and not be detected. Also, projection of any evaluation of them to future periods is subject to the risk that may become inadequate because of changes in conditions or that the effectiveness of their design and operation may deteriorate. In addition, the Company is a small organization and segregation of duties is limited by the number of employees.

#### REPORT ON INTERNAL CONTROL

Page 2

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the entity's financial statements that is more than inconsequential will not be prevented or detected by the entity's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the entity's internal control.

Our consideration of internal control would not necessarily disclose all matters in internal control that might be material weakness under standards established by the American Institute of Certified Public Accountants. A material weakness is a condition in which the design or operation of the specific internal control components does not reduce to a relatively low level the risk that errors or fraud in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. However, we noted no matters involving internal control that we consider to be a material weakness as defined above.

We understand that practices and procedures that accomplish the objectives referred to in the second paragraph of this report are considered by the SEC to be adequate for its purposes in accordance with the Securities Exchange Act of 1934 and related regulations, and that practices and procedures that do not accomplish such objectives, in all material respects, indicate a material inadequacy for such purposes. Based on this understanding and on our study, we believe that the Company's practices and procedures were adequate at December 31, 2008, to meet the SEC's objectives.

This report is intended solely for the use of the members, management and the SEC and any other regulatory bodies that rely on rule 17a-5(g) under the Securities Exchange Act of 1934 in their regulation of registered brokers and dealers, and is not intended to be and should not be used by anyone other than these specified parties.

Certified Public Accountants

Howich fold being ve

Chicago, Illinois

February 19, 2009

D.J. MOSIER & ASSOCIATES, INC.

FINANCIAL STATEMENTS
AND
SUPPLEMENTAL INFORMATION

(With Independent Auditors' Report)

**DECEMBER 31, 2008 AND 2007** 

SEC Mail Processing Section

FEB 272009

Washington, DC 111



# D.J. MOSIER & ASSOCIATES, INC. FINANCIAL STATEMENTS DECEMBER 31, 2008 AND 2007

## **CONTENTS**

	Page No.
FINANCIAL STATEMENTS	
Independent Auditors' Report	. 1
Statements of Financial Condition	2
Statements of Operations	3
Statements of Changes in Stockholder's Equity	4
Statements of Cash Flows	5
Notes to Financial Statements	6 - 7
SUPPLEMENTAL INFORMATION	
Computation of Net Capital, Pursuant to rule 15c3-1	8 - 10
Reconciliation of the Audited Computation of Net Capital With the Unaudited Focus Report	11
Computation of reserve requirements, and possession or control requirements pursuant to rule 15c3-3	12
Independent Auditors' Report on Internal Control	13 - 14